

5/25/84

Attached for your information are two CIA views letters on H.R. 4620 which OMB cleared for transmittal.

Letters sent to:

Brandon Blum
Office of Management and Budget
Room 7220 NEOB
Washington, D.C. 20503

Ms. Warner Windus
Legislative Reference Service
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Mr. Cary Copeland
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Room 1142 Main Justice
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Mr. Ted Ebert
Acting Director
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General Services Administration
Room 6102
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566-1250

Ms. Sandy Dyson
(Attn: Carol Toth in Sandy's absence)
Department of Treasury
Legislative Section
Room 1417 Main Treasury
15th & Pennsylvania Ave NW
Washington, D.C. 20220
566-8523



Central Intelligence Agency



Washington, D.C. 20505

25 May 1984

The Honorable Jack Brooks
Chairman
Committee on Government Operations
House of Representatives.
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your request for the views of the Central Intelligence Agency concerning H.R. 4620, a bill to amend the Federal Property and Administrative Services Act of 1949 (FPASA) to prohibit federal officials from monitoring or recording telephone conversations without the consent of all parties. Mr. Casey has asked me to respond on his behalf.

As drafted, H.R. 4620 would not affect CIA activities because the Agency is exempt from the underlying provisions of the FPASA that would be amended by the bill. See 40 U.S.C. § 474. As we have previously informed your Committee by letter dated 15 February 1984, notwithstanding our statutory exemption we have promulgated internal regulations that protect against abuses in connection with telephone monitoring. These procedures authorize monitoring or recording of telephone conversations by Agency personnel with one party's consent if conducted for authorized intelligence purposes and with appropriate senior approval.

Although in its current form H.R. 4620 would not have any impact on CIA activities, the bill could adversely affect the activities of other members of the Intelligence Community. In this regard, I note that the Department of Justice and the Department of Defense have written to you identifying certain aspects of H.R. 4620 that could adversely affect the conduct of intelligence and security programs. One important concern is that the exemptions contained in the bill may be too narrow to cover all necessary national security activities. Recording and overhearing by an intelligence agency employee acting within the scope of his employment relating to intelligence gathering, counterintelligence activities, as well as communications security is proper under present law and must be allowed to continue.

STAT If you should have any further questions, or if we can be
of further assistance, please contact me or [redacted] of my
Office at [redacted]

STAT

The Office of Management and Budget has advised that there
is no objection to the submission of this report from the
standpoint of the Administration's program. Thank you for the
opportunity to comment on this legislation.

Sincerely, ^

STAT

[redacted]

Clair E. George
Director, Office of Legislative Liaison

Central Intelligence Agency



Washington, D.C. 20505

25 May 1984

The Honorable William D. Ford
Chairman
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This letter expresses the views of the Central Intelligence Agency concerning H.R. 4620, a bill to amend the Federal Property and Administrative Services Act of 1949 (FPASA) to prohibit federal officials from monitoring or recording telephone conversations without the consent of all parties.

As drafted, H.R. 4620 would not affect CIA activities because the Agency is exempt from the underlying provisions of the FPASA that would be amended by the bill. See 40 U.S.C. § 474. Notwithstanding our statutory exemption, we have promulgated internal regulations that protect against abuses in connection with telephone monitoring. These procedures authorize monitoring or recording of telephone conversations by Agency personnel with one party's consent if conducted for authorized intelligence purposes and with appropriate senior approval.

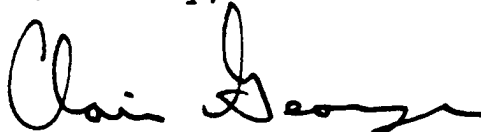
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If you should have any further questions, or if we can be of further assistance, please contact me or [] of my Office at []

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The Office of Management and Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's program. Thank you for the opportunity to comment on this legislation.

Sincerely,



Clair E. George
Director, Office of Legislative Liaison